

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF OKLAHOMA**

(1) FANSTEEL METALS, INC.,)	
F/K/A FMRI, INC.)	
)	
Plaintiff,)	
vs.)	Civil Action No.6:22-cv-00366-JFH-GLJ
)	
(1) CITIGROUP, INC.; and)	
(2) UNION CARBIDE CORPORATION)	
)	
Defendants.)	

**DEFENDANT CITIGROUP, INC.’S EIGHTH UNOPPOSED MOTION FOR
EXTENSION OF TIME TO ANSWER OR OTHERWISE
RESPOND TO COMPLAINT [Dkt. 2]**

COMES NOW Defendant Citigroup, Inc. (“Citigroup”), by and through its counsel of record, and, while reserving all defenses as stated in all previous status reports and extension requests and the Ninth Joint Status Report [Dkt. 71], respectfully requests an extension to July 7, 2025, of its time to answer or file other responsive pleading to Plaintiff’s Complaint in this case.

1. The reasons for this request are stated in more detail in the Ninth Joint Status Report of the Parties filed on March 25, 2025, incorporated herein by reference. [Dkt. 71.]

2. The current deadline for Citigroup to Answer or otherwise respond to Plaintiff’s Complaint is April 7, 2025. [Dkt. 67.]

3. Since the filing of the Eighth Joint Status Report, on December 30, 2024 [Dkt. 66], there has been progress regarding the Fansteel Site, which is at issue in this CERCLA action. As the Ninth Joint Status Report more fully describes, EPA and DOJ Enforcement have determined which PRPs (potentially responsible parties) will be classified as *de minimis* and non-*de minimis* for purposes of *de minimis* settlement offers issued by EPA to *de minimis* PRPs, and Plaintiff has provided to the Defendants in this case a settlement agreement form dealing with past response costs. However, documents that Citigroup needs to evaluate settlement have

not been completely provided. Citigroup understands from Fansteel's counsel that his client is working diligently to assemble and produce such documentation that has not yet been produced as soon as possible. However, not all of the necessary past cost backup documentation has been produced as of this filing.

4. The Parties believe that it will be beneficial to continue informal document sharing, including the documentation from Fansteel noted above, while awaiting final information from the U.S. EPA's third-party contractor on the RWM calculations as well as the *de minimis* party determinations. Due to timing of the issues noted in the Ninth Joint Status Report and previous status reports to the Court, evaluation of the previously presented, revised settlement agreement form, review of documentation provided and anticipated to be provided, and because the Parties continue to await the final report of U.S. EPA's third-party contractor, Toeroek Associates, Inc. ("Toeroek") which we understand will include final calculations or its determination of the percentage of total alleged RWM volume at the Fansteel Site attributable to specific Defendants, and because this information is necessary before proceeding with pleadings and discovery, this Defendant and the other Parties believe that the requested extension of time to answer or file a responsive pleading will save judicial resources, streamline this case, and may facilitate settlement discussions between the Parties. Thus, Citigroup submits that there is good cause for the requested extension of time stated in the Ninth Joint Status Report (March 24, 2025, Dkt. 71) for its new deadline to answer or to otherwise respond to Plaintiff's Complaint.

5. After the filing of the first Joint Status Report on April 3, 2023 [Dkt. 29], the Court entered a minute order [Dkt. 30] setting Citigroup's date to answer or otherwise respond on June 1, 2023. Subsequently, Citigroup filed its first unopposed motion for an extension of time on May

31, 2023 [Dkt. 32], for reasons set out in that motion and more fully in the Second Joint Status Report filed May 22, 2023 [Dkt. 31], which the Court granted in its Minute Order of June 1, 2023, making Citigroup's deadline to answer or otherwise respond September 1, 2023. [Dkt. 33.]

6. Citigroup filed a Second Unopposed Motion for Extension of Time to Answer or Otherwise Respond on or about August 22, 2023 [Dkt. 40], for the reasons stated therein and in the Third Joint Status Report filed on August 21, 2023 [Dkt. 37], which was granted on August 23, 2023, making Citigroup's deadline to answer or otherwise respond December 1, 2023. [Dkt. 41.]

7. Subsequently, Citigroup filed a Third Unopposed Motion for Extension of Time to Answer or Otherwise Respond on or about November 22, 2023 [Dkt. 44], which was granted on November 28, 2023, making Citigroup's deadline to answer or otherwise respond April 1, 2024. [Dkt. 45.]

8. Subsequently, Citigroup filed a Fourth Unopposed Motion for Extension of Time to Answer or Otherwise Respond on or about March 25, 2024 [Dkt. 51], which was granted on March 25, 2024, making Citigroup's deadline to answer or otherwise respond July 1, 2024. [Dkt. 52.]

9. Subsequently, Citigroup filed a Fifth Unopposed Motion for Extension of Time to Answer or Otherwise Respond on or about June 24, 2024 [Dkt. 54], which was granted on June 24, 2024, making Citigroup's deadline to answer or otherwise respond September 3, 2024. [Dkt. 52.].

10. Subsequently, Citigroup filed a Sixth Unopposed Motion for Extension of Time to Answer or Otherwise Respond on or about August 23, 2024, [Dkt. 62], which was granted on

August 26, 2024, making Citigroup's deadline to answer or otherwise respond January 6, 2025. [Dkt. 63].

11. For the reason stated therein, Citigroup filed its Seventh Unopposed Motion for Extension of Time to Answer or Otherwise Respond on or about December 30, 2024, [Dkt. 67], which was granted on December 30, 2024, making Citigroup's deadline to answer or otherwise respond April 7, 2025. [Dkt. 68].

12. The requested extension in this Unopposed Eighth Motion for Extension of Time to Answer or Otherwise Respond to the Complaint is supported by the reasons stated in the recently filed Ninth Joint Status Report [Dkt. 71].

13. There is currently no scheduling order in this case, there is no trial setting, and the requested extension will not have any effect on any other deadlines.

14. Counsel for Plaintiff and counsel for Defendant Union Carbide Corporation each consent to and have no objection to Citigroup's additional requested extension of time to answer or otherwise respond to the Complaint.

15. A proposed Order will be submitted pursuant to the Local Rules.

WHEREFORE, PREMISES CONSIDERED, Defendant respectfully requests that the Court grant Defendant Citigroup an extension until July 7, 2025, to file its Answer or other responsive pleading.

Respectfully submitted,

/s/Michael S. Linscott

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CERTIFICATE OF SERVICE

I hereby certify that on March 28, 2025, I electronically transmitted the foregoing document to the Clerk of Court using the ECF System for filing and transmittal of a Notice of Electronic Filing to the following ECF registrants:

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